

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_3902

Other known title(s): Not stated

OFLC ref: 1500835.010

Medium: Computer Moving Image File

Director: Not stated

Country of origin: Not stated

Language: Not stated

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 18 December 2015

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 16 December 2015

	Components	Running time
Timed component(s):	IMG_3902	1:32
Total running time:		1:32

Summary of reasons for decision:

The publication is an amateur recording of a road accident involving a passenger on a bus, whose fatal injuries are focused on in gruesome and gory detail. It is horrific and likely to greatly shock and disturb children and teenagers in particular. The distribution of footage like this for no apparent legitimate purpose is also likely to have an eventual effect of inuring younger viewers

who are still developing emotionally and cognitively, to other real-life suffering more generally. While most adults are also likely to be disturbed by the footage, it would not be reasonable to classify the publication as objectionable, as there is still a difference between disturbing images of accidents and graphic depictions of deliberately inflicted violence and cruelty, for example.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of all the classification criteria. A restriction on the publication's availability to adults places a limit on the right to freedom of expression, but this is a reasonable and justifiable limitation given the risk of injury to the public good.